

REMARKS:

The Office Action dated July 7, 2006 has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Claim 6 has been amended. Support for the amendment to claim 6 can be found, *inter alia*, in Fig. 12 and the corresponding sections of the specification. No new matter has been added. Accordingly, claims 1-6 are pending in this application and are submitted for consideration.

Claims 1-5 are allowed.

Claim 6 was rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. The Applicant traverses the rejection and submits that claim 6 is directed to statutory subject matter.

Claim 6 is directed to a knit design device including a number of structure components. One embodiment of such a knit design device is shown in Fig. 12 of the present specification. As the Supreme Court has held, Congress chose the expansive language of 35 U.S.C. 101 so as to include "anything under the sun that is made by man." *Diamond v. Chakrabarty*, 447 U.S. 303, 308-09, 206 USPQ 193, 197 (1980). Accordingly, section 101 of title 35, United States Code, provides:

Whoever invents or discovers any new and useful process, machine,
manufacture, or composition of matter, or any new and useful
improvement thereof, may obtain a patent therefor.

Claim 6 is directed to a new and useful machine and therefore, complies with the requirements of 35 U.S.C. § 101. Accordingly, the Applicant requests that the rejection be withdrawn and claim 6 be allowed.


In view of the above, all rejections have been sufficiently addressed. The Applicant submits that the application is now in condition for allowance and requests that claims 1-6 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

By



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